

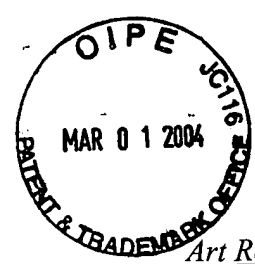
REMARKS

Reconsideration of the rejections set forth in the Office Action mailed November 28, 2003, is respectfully requested. Claims 1 and 11 have been amended. Claims 7, 9, 20, and 25-28 have been canceled. Claims 29-36 have been newly added. Claims 1-6, 8, 9-19, 21-24, and 29-36 remain pending in this case. Claim 1 was amended to include the limitations of claim 7. Claim 11 was amended to include the limitations of claim 20. New claim 29 roughly corresponds to claim 9 written in independent form. Therefore, these amendments are made without introducing new matter.

Specification

The examiner has indicated that the status of the non-provisional application listed on the first page of the specification should be updated. Accordingly, Applicant has amended the paragraph beginning on page 1, line 5 to indicate that U.S. Application Serial No. 09/282,771, filed on March 31, 1999, has now issued as U.S. Patent No. 6,355,010. Therefore, Applicant respectfully requests withdrawal of this objection and reconsideration of the specification as amended.

The examiner has further objected to the specification as allegedly failing to provide proper antecedent basis for the claimed subject matter. In particular, the examiner alleges that the specification lacks antecedent basis for the cooler being disposed within the lumen of the tubular member, as claimed in claim 8. Applicant has amended the specification to state that the cooler may be disposed within the lumen of the inflow cannulae. Support for this amendment can be found in original claim 8, filed in the parent application and the current application. Therefore, this amendment is being made without the addition of new matter.



Art Rejections

Claims 1-6, 8, 10-19, and 21-28 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Khosrani (USP 4,979,937) in view of Lewis et al. (USP 6,436,087).

Applicants gratefully acknowledge the examiner's indication that claims 7, 9, and 20 are

objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form. Therefore, Applicants have amended claim 1 to include the limitations of dependent claim 7. Claim 11 includes the additional steps of dependent claim 20. And new claim 29 has been added, which corresponds substantially to claim 9 written in independent form, the only difference being that "each tubular member" has been corrected to recite "each tubular branch." Therefore, Applicants respectfully requests withdrawal of the rejection and reconsideration of the claims as amended.

For all the foregoing reasons, Applicants assert the claims are in condition for allowance. Favorable action on the merits of the claims is therefore earnestly solicited. If any issues remain, please contact Applicants' undersigned representative at (949) 737-2900. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 50-2862.

Respectfully submitted,
O'MELVENY & MYERS LLP

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